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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,472	11/02/2001	Daniel Knapp	381	5291

2292 7590 10/16/2003

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EXAMINER

PRASAD, CHANDRIKA

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 10/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,472

Applicant(s)

KNAPP ET AL.

Examiner

Chandrika Prasad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28,30-39,42-45,47 and 48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12,15,19-28,30-39,42-45,47 and 48 is/are rejected.
- 7) ☒ Claim(s) 13,14 and 16-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to amendments

1. The reply filed on 9/15/03 consists of cancellation of claims 29, 40, 41, 46; amendments to claims 1, 2, 3, 6, 7, 10, 11-13, 15, 16, 22-28, 30, 31, 33-39, 42-45, 47-48 and remarks related to rejection of claims. The claims are not allowable as explained below.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the followings as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

- Reference numeral 17 in Figure 1 (1A, 1B or 1C).
- Clip 50 between points B and D in Figure 1 (1A, 1B or 1C).
- Leading and trailing edges in Figures 6 or 7.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the followings must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

- Leading edge and trailing edge (Claims 1-21).

Specification

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 39, 38 and 42-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- The independent claim 39 recites "one point of support between differing from the two points". It is not clear what this means.
- Claim 39 recites the limitation "the two points " in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-5, 7, 10, 11 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clap, Jr. et al.

Clap, Jr. (Figures 3a) shows a system for managing fiber optical cables having two spaced radius guides 38 with a curved central portion elevating an optical fiber cable above a circuit board 30 wherein the cable is supported at least two points between a leading edge and a trailing edge in a linear direction from an adapter to a connector positioned on the circuit board. The guides have notches to hold the fibers at the leading edge and the trailing edge. The curved portion has a radius at least equal to a minimum bend radius. The guide has a bottom surface with a foot attached to the board. The system includes clips 27 and 54 for holding and elevating the cable. The leading edge is closer to one side of the circuit board while the other is closer to the other side. The guide can accommodate multi-fiber ribbon cable. But Clap does not show a plurality of adapters and connectors. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide a plurality of adapters and connectors because this would require a mere duplication of essential parts, which involve only routine skill in the art. *St. Régis Co. vs. Bemis co.*, 193 USPQ 8.

9. Claims 6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clap Jr. et al. in view of Cole et al.

Clap shows all the features of these claims as described in Paragraph 8 above except cross arms over the notches. Such a feature is well known in the art of optical fiber and electrical connectors. Cole clearly shows such a feature. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide such a feature to Clap's system because this would provide a means to retain the cable in the

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notch. In such a situation, a shorter cable would contact an underside of the cross arm and a longer cable would contact lower edges of the notch.

10. Claims 12, 15, 22-28, 30-37, 45, 47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clap Jr. et al. in view of Gatica et al.

Clap shows all the features of these claims as described in Paragraph 8 above except a tensioning assembly and a clip. These features are well known in the art of optical fibers. Gatica shows clips 120, 122 to elevate the cables above a board and a tensioning assembly 58 between the radius guides. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide these features to Clap's system because this would provide a means to secure and remove slack in the optical fiber.

Allowable Subject Matter

11. Claims 13-14 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter:

A tensioning assembly for optical fibers using a leaf spring was not found in prior art.

Response to Arguments

13. Applicant's arguments with respect to claims 1-28, 30-39, 42—45 and 47-48 have been considered but are moot in view of the new ground(s) of rejection.

The title is too general.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hoke, Rawlings and DeMeritt et al. also show the use of guides to elevate optical fibers above a circuit board between connectors and adapters.

Contact Information

16. Any correspondence to this action may be mailed to:

**Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450**

Hand-delivered responses should be brought to:

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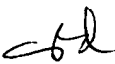
Crystal Plaza 4, Fourth Floor (receptionist)

2201 South Clark Place, Arlington, Virginia

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad whose telephone number is (703) 308-0977.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached at (703) 308-2710. The fax number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or processing should be directed to the Group receptionist whose telephone number is (703) 308-1782.


Chandrika Prasad
Primary examiner
October 3, 2003